

A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, August 24, 2006

 + [Back](#)  [Print](#)**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 84**

Subject: C14-06-0141 - Children's Courtyard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5811 Southwest Parkway (Barton Creek Watershed - Barton Springs Zone) from development reserve (DR) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. *Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning.* Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Andy and Joy Rites. Agent: McDill Engineering (Tom McDill). City Staff: Robert Heil, 974-2330.

Additional Backup Material

(click to open)

 **Staff Report****For More Information:**

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0141 Children's Courtyard

PC Date: July 25, 2006

ADDRESS: 5811 Southwest Parkway

AREA: 2.990 acres

OWNER/APPLICANT: Andy and Joy Rites

AGENT: McDill Engineering (Tom McDill)

ZONING FROM: DR **TO:** LR-CO*

** Note: The applicant had requested LR or LO. Notices were sent at the more permissive zoning category of LR, to allow discussion and action on LR or LO. On August 13, 2006, the applicant formally clarified that the request is for LR-CO*

STAFF RECOMMENDATION:

Staff recommends approval of LO-CO. The conditional overlay would limit daily vehicle trips to no more than 2000 per day.

PLANNING COMMISSION RECOMMENDATION:

July 25, 2006: Recommended approval of LO-CO on consent.

DEPARTMENT COMMENTS:

The site is a roughly 3 acre property currently developed with a mobile home park and zoned development reserve (DR). The request is for either neighborhood commercial (LR) or limited office (LO) base district zoning. A conditional overlay has been offered by the applicant to limit total daily vehicle trips to less than 2000.

The intended use is for a day care center. However, the applicant has expressed concern about being able to build a day care and still meet impervious cover limits. Building requirements for a day care would preclude constructing the building over the parking. The applicant has clarified his application and is requesting LR-CO. Although the intent is still to build a day care, the applicant would like the more permissive zoning category, to provide for alternative commercial uses, should the day care center prove unworkable.

Staff recommends approval of LO-CO. The conditional overlay would limit daily vehicle trips to no more than 2000 per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Mobile Home Park
<i>North</i>	MF-2	Apartments
<i>South</i>	GO-CO and DR	St. Andrew's School and undeveloped.
<i>East</i>	DR	Undeveloped
<i>West</i>	GR-CO	St. Andrew's School

AREA STUDY: The property is within the proposed East Oak Hill Neighborhood Planning Area.

TIA: N/A **WATERSHED:** Barton Creek (Barton Springs Zone)

DESIRED DEVELOPMENT ZONE: No **CAPITOL VIEW CORRIDOR:** No

HILL COUNTRY ROADWAY: Yes – Low Intensity Zone

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Oak Hill Association of Neighborhoods
- Oak Hill Association of Neighborhoods (78735)
- Oak Hill Association of Neighborhoods (78736)
- Oak Hill Association of Neighborhoods (78737)
- Oak Hill Association of Neighborhoods (78738)
- Oak Hill Association of Neighborhoods (78739)
- Oak Hill Association of Neighborhoods (78749)
- Save Barton Creek Association
- Barton Springs Coalition
- Edwards Aquifer / Barton Springs Conservation District
- Save our Springs Alliance

SCHOOLS: (AISD)

Oak Hill Elementary School Small Middle School Austin High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Southwest Parkway	160'	120'	Six Lane Divided Major Arterial

C14-06-0141

CITY COUNCIL DATE:

ACTION:

August 24, 2006

ORDINANCE READINGS:

2nd

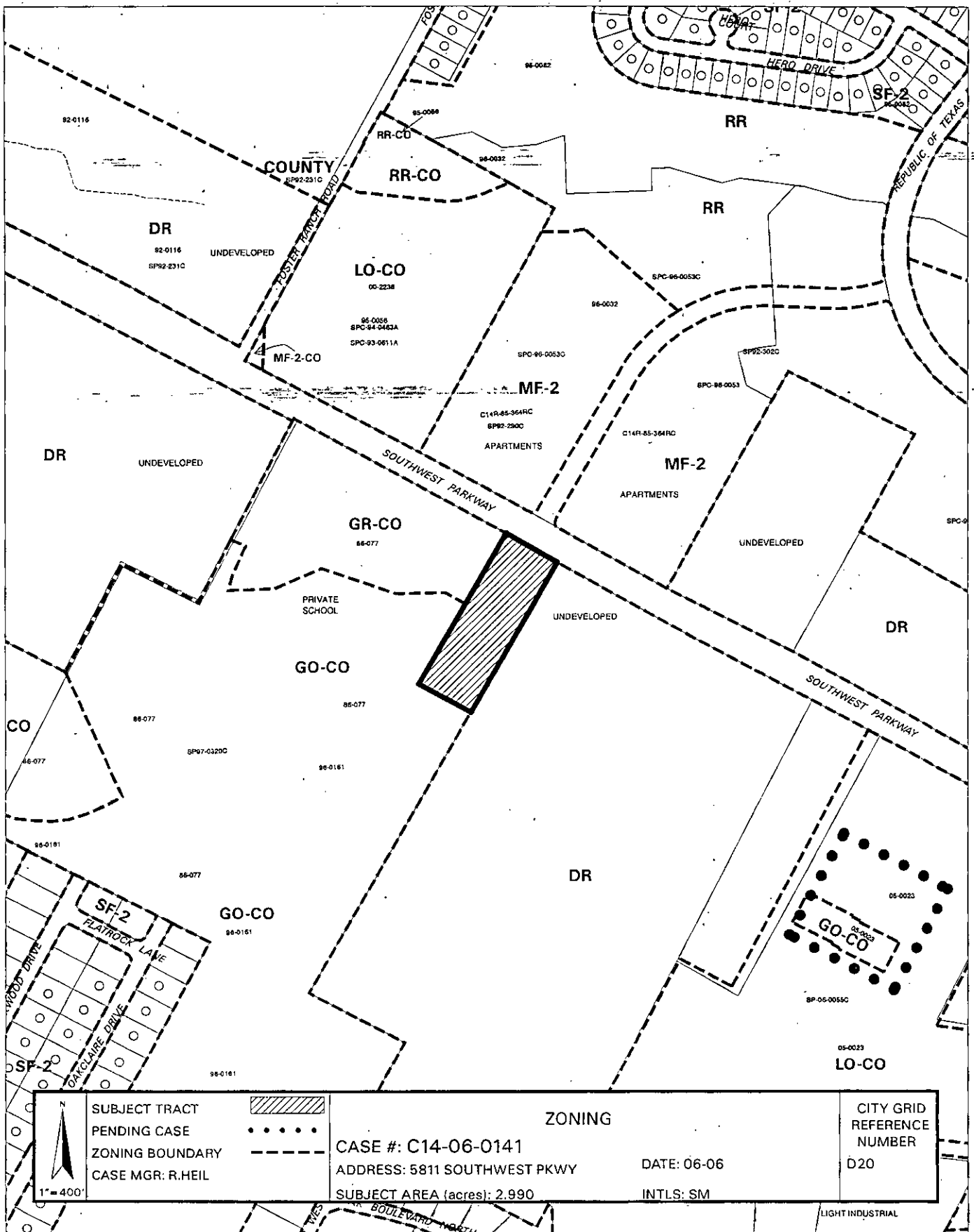
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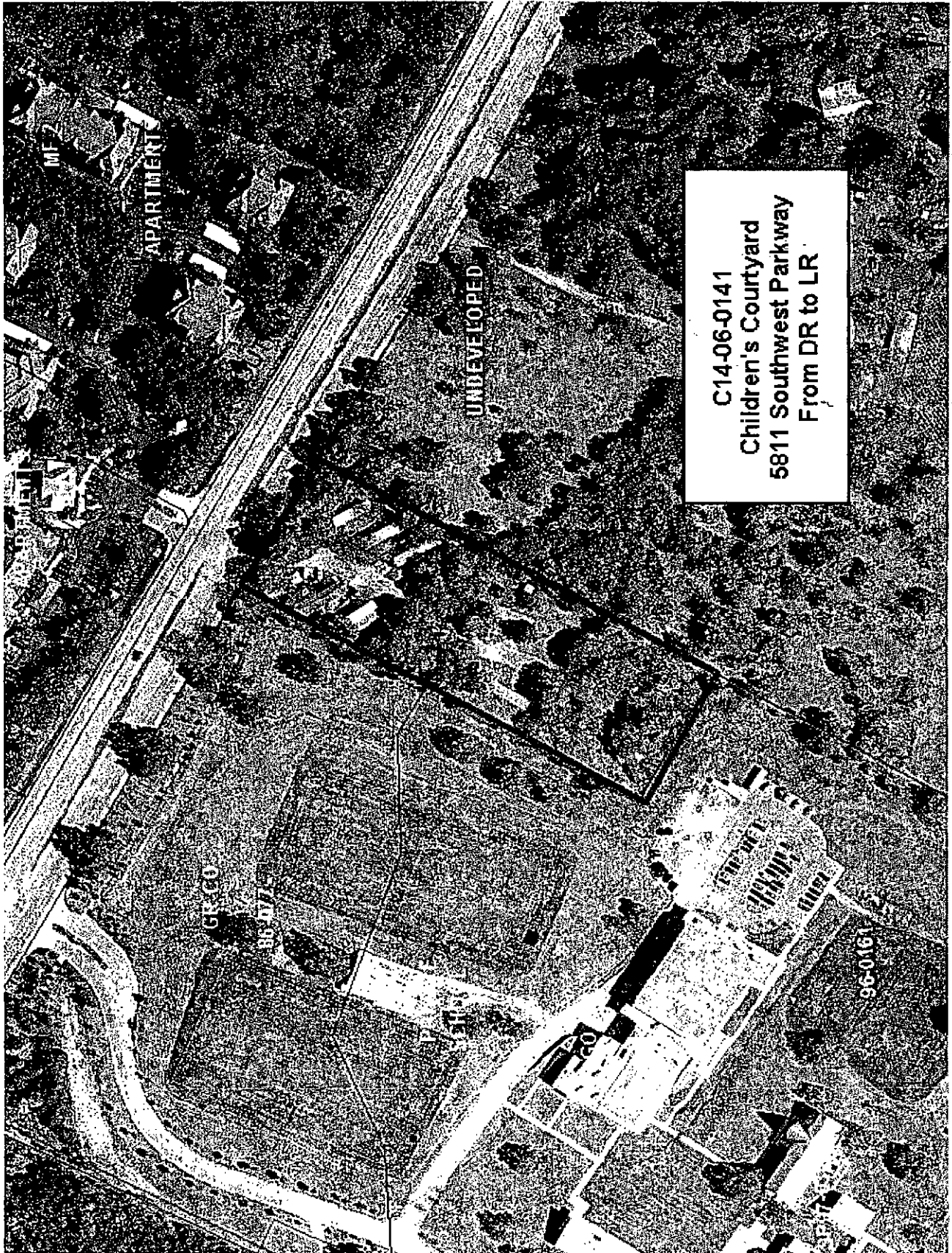
ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330

C14-06-0141





SUMMARY STAFF RECOMMENDATION

Staff recommends approval of LO-CO . The conditional overlay would limit daily vehicle trips to no more than 2000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Limited Office (LO) is the designation for an office use that serves neighborhood or commercial needs and that is located in or adjacent to residential neighborhoods.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Limited Office (LO) would be compatible with the educational uses to the west and south, and would be compatible with most residential or office uses likely to be developed on the large adjacent DR tract should it be rezoned and developed.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 5,139 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

NAME	ROW	PAVEMENT	CLASSIFICATION
Southwest Parkway	160'	120'	Six Lane Divided Major Arterial

Environmental

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.

According to flood plain maps, there is no flood plain within the project location.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

Site Plan

This site is located within the Hill Country Roadway Corridor (Southwest Parkway) and the site plan will require Planning Commission review.

The site may be subject to compatibility standards. Along the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

FYI - In the Barton Springs Zone, no individual retail use may exceed 50,000 square feet and no food sales use may exceed 100,000 square feet. [Sec. 25-2-651]

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The landowner must pay the associate City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.